

OCA FILE

Fedler/leg

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4 January 1988

NOTE TO: Deputy Director for Administration

FROM:

Office of Congressional Affairs

SUBJECT: Provisions in Budget Reconciliation Act and
Continuing Resolution Affecting Agency Administration

1. Listed below are several provisions contained in either the Budget Reconciliation Act (HR 3545) or the Continuing Resolution (HJ Res. 395) which impact on the operations of the directorate. Most of these changes you know about, but several you do not. I am sending a copy of this note to the affected DA offices with excerpts from the two acts.

BUDGET RECONCILIATION ACT (HR 3545)

2. Section 6001 changes lump-sum annuities. Those employees retiring after 3 January who elect to take a lump-sum can receive only 60% the first year. The remaining 40% is payable the second year.

3. Section 9007 closes the Public Pension Offset loophole for those who join FERS after 31 December 1988.

CONTINUING RESOLUTION (HJ RES 395)

4. Title III, section 304 of the State Department Appropriations Act prohibits Soviet occupancy of Mount Alto until the new office building (NOB) in Moscow is ready for U.S. occupancy. No new funds may be obligated for the NOB except for engineering and technical studies. In order to make this change, section 305 waives section 151 of the State Authorization Act (HR 1777).

5. Section 601 of The Treasury Authorization Act limits the amount government agencies may pay for the purchase of passenger cars.

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6. Section 603 of the Treasury Authorization Act provides that no funds may be used to compensate any employee of the U.S. Government whose post is in the continental U.S. unless the person is a U.S. citizen or has filed for citizenship. (There are other additional exceptions.)

7. Section 615 of the Treasury Authorization Act limits the amount of money which may be spent on the renovation of an employee's office to \$5,000 before Congress must be notified.

8. Section 616 of the Treasury Authorization Act permits agencies to provide space for child care services.

9. Section 617 of the Treasury Authorization Act permits funds to be used to pay for travel to the U.S. by immediate family members of employees serving overseas in cases of death or life threatening illness of the employee.

10. Section 618 of the Treasury Authorization Act prohibits expenditure of funds for certain activities related to the Combined Federal Campaign.

11. Section 621 of the Treasury Authorization Act provides that agencies detailing employees to other agencies submit a report to Congress. This is the section for which we sought an exemption for CIA and the Intelligence Community. The exemption survived.

12. Section 623 of the Treasury Authorization Act requires that back pay awarded for unjustified personnel actions be paid with interest under certain conditions.

13. Section 624 of the Treasury Authorization Act exempts the Thrift Savings Plan from nondiscrimination rules applied to private pension plans.

14. Section 625 of the Treasury Authorization Act continues and extends OPM's demonstration projects permitting employees to transfer leave to employees who need leave for emergency situations.

15. Section 628 of the Treasury Authorization Act provides for reimbursement of employees transferred overseas for the sale of residency and for certain travel expenses.

16. Section 630 of the Treasury Authorization Act prohibits agencies from using funds to implement or enforce the nondisclosure agreements under certain conditions. In addition, this provision requires removal of the word "classifiable" from these agreements.

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17. Nowhere in either Act is contained the provisions affecting Cafeteria benefit plans.

18. I understand, but have not yet found, that there is a provision supposedly contained in the Continuing Resolution which requires all executive agencies to purchase and use the FTS 2000 telephone system.

19. There are probably other sections which will impact on the DA which have yet to be discovered, but the ones discussed here should be the major ones. I will advise you and the appropriate office directors of any new discoveries.



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Attachment:

Portions of HR 3545 and HJ Res. 395

cc: D/OP w/att.
D/OF w/att.
D/OS w/att.
D/OL w/att.
D/OC wo/att.
D/OMS wo/att.
D/OTE wo/att.
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